

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

IN THE MATTER OF:

Top Shelf, LLC t/a	
Penn Quarter Sports Tavern	Protest
639 Indiana Avenue, NW	Hearing
Retailer CT - ANC-2C	(Status)
License No. 76039	
Case #14-PRO-00011	

(Termination of Settlement
Agreement)

April 23, 2014

The Alcoholic Beverage Control Board met in the Alcoholic Beverage Control Hearing Room, Reeves Building, 2000 14th Street, N.W., Suite 400S, Washington, D.C. 20009, Chairperson Ruthanne Miller, presiding.

PRESENT:

RUTHANNE MILLER, Chairperson
DONALD BROOKS, Member
HECTOR RODRIGUEZ, Member

P-R-O-C-E-E-D-I-N-G-S

(9:51 a.m.)

CHAIRPERSON MILLER: The next case is Case No. 14-PRO-00011, Penn Quarter Sports Tavern located at 639 Indiana Avenue, N.W., License No. 76039. It's a termination of a settlement agreement.

Okay. When you are ready, if you would introduce yourselves for the record, please?

MR. BRAND: Good morning. Michael Brand, owner of Penn Quarter.

CHAIRPERSON MILLER: Okay.

MR. SCHERR: John Scherr, General Manager at Penn Quarter.

CHAIRPERSON MILLER: Great. Okay.

MR. CARDELLA: Dominick Cardella, abutting neighbor.

CHAIRPERSON MILLER: Right. All right. Good. Okay. Your Protest Hearing is scheduled for June 4, 2014 at 4:30 p.m. If you don't have any specific issues to bring to

1 my attention, I'm going to just give you
2 similar instructions.

3 Okay. Remember that the focus of
4 the hearing is the appropriateness of the
5 establishment for that particular locality.
6 Two important forms that you make sure that
7 you get and submit within seven days to the
8 Board and to opposing parties are the Protest
9 Information Form and the Exhibit Form.

10 If we don't receive a copy of your
11 Protest Information Form, often referred to as
12 the PIF, your application or your protest
13 might be dismissed.

14 Similarly, if we don't receive a
15 copy of the Exhibit Form and the exhibits
16 themselves, the exhibits might be excluded
17 from the record and that would be dependent
18 upon a finding that the opposing party has
19 been prejudiced or no good cause for the
20 failure to admit has been shown.

21 Similarly, and witnesses could be
22 subject to exclusion for the same reason.

1 Both parties are to be put on
2 notice as to what each side is going to be
3 presenting, so everyone can be prepared and
4 the Board can be prepared and make sure you
5 are on focus.

6 So pay attention to those
7 deadlines. Other than that, do you have any
8 questions? Feel free to call Ms. Jenkins, our
9 General Counsel, or Ms. Anderson. Ms.
10 Anderson's number is 442-6492, unless you have
11 any questions right now, you can ask right
12 now.

13 MR. CARDELLA: You say the Protest
14 Forms will be mailed to us?

15 CHAIRPERSON MILLER: They should
16 be. If you don't get them, say, you know, two
17 weeks out or something, contact Ms. Anderson.

18 MR. BRAND: Mailed and not email?

19 CHAIRPERSON MILLER: How do the
20 Protest Information Forms get to them?
21 Regular mail? Yes, apparently mailed. Feel
22 free to call Ms. Jenkins if you have any

1 further questions about that.

2 MR. BRAND: Sure.

3 CHAIRPERSON MILLER: But be aware
4 of that seven day deadline, so call further
5 out. Okay. Great. Anything else? Okay.
6 Thank you.

7 (Whereupon, the Protest (Status)
8 Hearing in the above-entitled matter was
9 concluded at 9:55 a.m.)

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A a.m 2:2 5:9 above-entitled 5:8 abutting 2:18 admit 3:20 agreement 1:9 2:7 Alcoholic 1:2,12,12 ANC-2C 1:7 Anderson 4:9,17 Anderson's 4:10 apparently 4:21 application 3:12 appropriateness 3:4 April 1:11 attention 3:1 4:6 Avenue 1:6 2:5 aware 5:3	D D.C 1:13 day 5:4 days 3:7 deadline 5:4 deadlines 4:7 dependent 3:17 dismissed 3:13 DISTRICT 1:1 Dominick 2:17 DONALD 1:17	instructions 3:2 introduce 2:9 issues 2:22	2:1 p.m 2:21 particular 3:5 parties 3:8 4:1 party 3:18 pay 4:6 Penn 1:6 2:4,12,15 PIF 3:12 please 2:10 prejudiced 3:19 prepared 4:3,4 PRESENT 1:15 presenting 4:3 presiding 1:14 protest 1:6 2:20 3:8 3:11,12 4:13,20 5:7 put 4:1	shown 3:20 side 4:2 similar 3:2 Similarly 3:14,21 specific 2:22 Sports 1:6 2:4 Status 1:7 5:7 Street 1:13 subject 3:22 submit 3:7 Suite 1:13 sure 3:6 4:4 5:2
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